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REMARKS

This amendment is being filed in response to the Office Action dated July 27, 2005. For the following reasons, this application should be considered in condition for allowance and the case passed to issue.

The allowance of claims 1-11 is gratefully acknowledged. The only issues remaining are the rejection of claims 12-18. Claims 12 and 16 were rejected under 35 USC §103(a) as being unpatentable over applicant's admitted prior art (hereinafter AAPA) in view of Hicks, U.S. Patent No. 6,493,552. Claims 13-14 and 17-18 were rejected under 35 USC §103(a) as being unpatentable over AAPA in view of Hicks and further in view of Borth, et al. (hereafter "Borth"). The following is a comparison of the present invention as currently claimed in claims 12-18 with the AAPA and Hicks and Borth references.

Claim 12 relates to a station for use in a CDMA mobile communication system, and comprises a receiver which receives a wireless signal transmitted by a sector or a base station, and a CDMA modem connected to the receiver. This modem performs a despreading modulation operation of the wireless signal received by the receiver. This station also comprises a controller that controls a pilot synchronization operation including an acquisition of a pilot signal and a registration operation that includes a plurality of access sequences to the sector or the base station when the acquisition of a pilot signal is successful. The controller turns off the receiver when the mobile station fails in registration to the sector or the base station after the registration operations are performed a predetermined number of times. Neither of the references, nor the AAPA, either alone or in combination, show or suggest the invention is now claimed.

In normal CDMA mobile communication systems, a mobile station exchanges messages with the base station. In certain situations, for example, when the mobile station is used in a tall building, the mobile station receives a downlink signal from a long distance base station. However, an uplink signal from the mobile station may not reach the base station because the base station is located a far distance away and the uplink signal is weaker than the downlink signal. This causes a problem in that the mobile terminal keeps performing a registration operation even though the uplink signal does not reach the base station. In order to solve the problem, the mobile station of the present invention turns off the receiver when the mobile station fails in registration after the registration operation including a plurality of access sequences to the base station are performed a

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predetermined number of times. This happens even though the acquisition of the pilot signal was successful.

Furthermore, it is difficult to determine whether a mobile station is in an in-communication zone in which the uplink signal does not reach the base station. This is because in a CDMA system, the strength of a signal transmitted from a base station in response to an uplink signal is unstable because a plurality of signals from base stations are sent through one frequency band and the signals interfere with one another. Even though the uplink signal reaches the base station, the mobile station cannot receive a response signal from the base station and cannot complete the registration temporarily.

The Examiner relies upon the AAPA provided by the Applicant in forming the rejection. The Applicant describes a registration performed by a mobile station. Since registration involves transmission, if registration is frequently performed, traffic on the network increases and battery power on the mobile station is consumed. The passage described in the AAPA in the present application merely describes a normal operation and suggests nothing with respect to how to conserve battery power in a CDMA system. There is nothing in the AAPA that suggests that this particular type of battery consumption is a particular problem recognized by others of skill in the art as a problem needing to be solved, much less suggesting the solution to such a problem. The Examiner, in fact, concedes that the AAPA does not teach turning off the receiver after repeated registration attempts. For this feature, the Examiner relies upon Hicks. As will be seen below, however, this reliance on Hicks is misplaced.

Hicks, U.S. Patent No. 6,493,552, relates to a method for recovering service after registration failure in a cellular system. In Hicks, a mobile station searches for a new channel or sets a re-registration timer after a plurality of registration attempts. See steps 108, 112, and 114. What is not disclosed however, is the mobile station turning off a receiver when the mobile station fails in registration after the registration operations. Further, Hicks does not disclose the mobile station turning off the receiver when the mobile station fails in registration after registration operations including a plurality of access sequences to the base station are performed a predetermined number of times.

The Examiner cites column 2, lines 30+ and column 5, lines 24-64 of Hicks as teaching the process of turning off a receiver after a repeated number of attempts. A thorough review of these cited sections, however, do not reveal any such disclosure of turning off a receiver after a repeated

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number of attempts. Hicks seeks to prevent a mobile phone from camping on a dysfunctional control channel. Referring to column 2, lines 30+, if a registration timer expires without a response from a base station, the mobile station sets a re-registration timer and returns to camping on a DCCH. When the re-registration timer expires, the mobile station re-attempts registration on the current DCCH. After six consecutive attempts at registration have been made without a response, the mobile station assumes that the current DCCH is dysfunctional and searches for a new control channel on which to acquire service. If a suitable control channel is found, the mobile station will attempt to register on the new control channel. There is nothing in this description that even infers turning off a receiver when the mobile station fails in registration after the registration operations, including a plurality of access sequences to the base station, are performed a predetermined number of times.

Should the Examiner continue to assert the stated position based on Hicks, it is respectfully requested that the language and disclosure in Hicks which specifically teaches turning off a receiver be pointed out with greater specificity. Without such disclosure, however, it is respectfully submitted that Hicks and AAPA, either alone or in combination, do not show or suggest the invention as now claimed. Neither reference discloses or suggests turning off a receiver of a mobile station when the mobile station fails in registration after registration operations including a plurality of access sequences to the base station are performed a predetermined number of times. Concurrently, the rejection of claims 12 and 16 under 35 USC §103(a) should be reconsidered and withdrawn. Such action is courteously solicited.

The rejection of claims 13-14 and 17-18 under 35 USC §103(a) relies upon Borth. However, this reference also does not disclose or suggest the turning off of a receiver of a mobile station when the mobile station fails in registration after registration operations including a plurality of access sequences to the base station are performed a predetermined number of times. The Examiner makes no assertion in this regard with respect to Borth. Accordingly, the Borth reference fails to provide any of the deficiencies in the rejection noted with respect to AAPA and Hicks. Even if combined with AAPA and Hicks, the combination with Borth does not make obvious claims 13-14 and 17-18 of the present invention. Reconsideration and withdrawal of the rejection of claims 13-14 and 17-18 under 35 USC §103(a) are therefore respectfully requested.

New claims 19-24 have been added to the application. These claims should also be considered allowable over the applied art for at least the same reasons as discussed above.

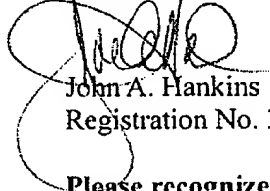
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In light of the amendments and remarks above, this application should be considered in condition for allowance and the case passed to issue. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

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